

Appl. No. 09/940955
Amdt dated 4/26/2004
Reply to Final Office action of February 27, 2004

REMARKS

Claims 21-23 and 27 are rejected under 35 USC 103(a) over Lyle et al. (5,956,023). Applicants respectfully request that the examiner enter the proposed amendments to the claims, which are believed to clarify the issues in this case, as presented heretofore. As previously mentioned, the claims pending in the case are directed to the aspect of problem detection or correction. Under the claims as amended, the apheresis system is prompted by the operator to the presence of a problem condition. In the proposed amendment, this condition would be referred to as "an observed" condition, rather than "a first condition", emphasizing the role of the operator in prompting the system. As explained theretofore, the operator interface then displays a plurality of conditions, each condition having at least one remedial action. The proposed amendment would add the word "simultaneously", emphasizing that the operator is presented with a set from which a selection can be made, as shown, for example, in Figures 40 and 42. As applicants have explained previously, the operator then selects the condition and associated remedial action. Thus, in the presence of an abnormal condition observed by the operator, the operator is quickly presented with a range of options from which to select the appropriate response.

The examiner has argued that the limitations of claim 21 are disclosed in Lyle '023 in that the operator interface manager has positions on the top right and left sides and the bottom center positions of the status region for the alarm and note fields (88/90/92) as shown in figure 6. (sic, Figure 16). The examiner argues that "[t]hese positions show multiple alarm or other warnings that are in need of correction. Each of these status regions is seen to be equivalent to multiple screens since they each display individual alarm or warning conditions."

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Applicants respectfully disagree with this analysis. In Lyle, the three mentioned regions or symbols appear in response to a single condition. Button 88 is an alarm button that flashes red or yellow depending on the type of problem detected by the machine. Button 90 appears at the same time as button 88, and allows the operator to turn off an audible alarm, but does not identify a different or independently selectable condition. Finally, text field 92 specifically identifies the problem detected by the machine. All three of these identifiers, therefore, point to a single condition. See specifically, Col. 17, line 59-67. These three areas do not present the operator with alternative conditions from which a selection can be made, as shown, for example, in Fig. 40 ("blood", "moisture", "no leak") of Fig. 42 ("spillover", "air in plasma line", "other problem"). In Lyle, if one selects button 90, the audible alarm goes off for a time. Text field 92 is informational. After one has attempted to correct the condition identified by the three screen symbols 88, 90 and 92 and as further identified by text block field 100, button 88 may re-test for the identified condition. The operator does not select among possible conditions. Claim 21 and its dependent claims should, therefore, be allowed.

The proposed amendment to claim 27 emphasizes the extended nature of the choices being presented to the operator. Thus, a first set of conditions is displayed from which the operator may select. Subsequently, a second set of conditions may be displayed, in response to a prompting from the operator. This is illustrated in Fig. 42, wherein the operator may select "Other Problem 920", and obtain a further list of suggestions for identifying the actual condition that needs to be resolved.

Lyle does not disclose this technique of presenting a list of possible error conditions from which the operator is invited to select. Applicants respectfully re-emphasize that Lyle ('023) explicitly teaches that only one alarm or note condition should

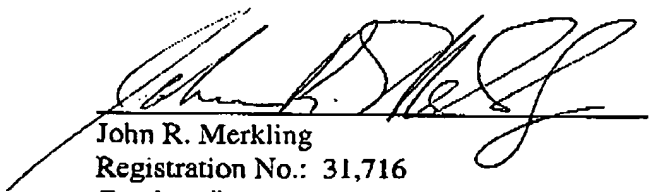
Appl. No. 09/940955
Amdt dated 4/26/2004
Reply to Final Office action of February 27, 2004

be displayed at one time: "... the alarm/note fields 88 and 92 relate only to a single alarm or note condition at the same time." (Col. 17, 159-61.)

Applicants respectfully submit that amended claims 21-23 and claim 27 distinguish over Lyle ('023). The examiner's reconsideration of the claims is respectfully solicited.

Respectfully submitted,

26 April 2004
Date


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